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Commissioner for Patents

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REMARKS/ARGUMENTS

A Request for Continued Examination is filed concurrently herewith and reconsideration of this application is respectfully requested.

Applicant extends gratitude to the Examiner for a telephone interview granted January 30, 2004, to discuss the Final Action issued against the above-identified patent application. As requested during the interview, Applicants offered a brief explanation of the invention set out below.

Subsequent to filing an amendment after Final on February 2nd, 2004, a further brief telephone interview was conducted with the Examiner and the Examiner reported that in view of the explanation of the invention set out below, the only reference applied by the final rejection had been withdrawn from further consideration on the grounds that it was irrelevant to the claimed invention. When asked how the Final Action could be maintained if the only cited reference were withdrawn from further consideration, the Examiner replied that a further search was required. The Examiner was reminded that the amendments to the claims after Final could not possibly require a further search because the amendment merely combined previously searched claims. Nonetheless, the Examiner, as well as the Examiner's Supervisor, refused to withdraw the Final Action and refused to continue prosecution of this application. Although Applicants requested the basis for their refusal to withdraw the finality of the Action, no basis for the refusal was provided.

An Advisory Action dated February 25, 2004 was issued to notify Applicants that the proposed amendment would not be entered on the grounds that it raised new issues that would require further consideration and/or search. However, as noted above, the only amendment made was the incorporation of the subject matter of claims 1 and 2 into claim 3; the incorporation of the subject matter of claim 8 into claim 9; and, the incorporation of the subject matter of claim 14 into claim 15. It is therefore respectfully submitted that the amendment could not have necessitated a further search.

In order to advance the prosecution of this application, Applicants hereby file a Request for Continued Examination of this application and resubmit the amendment filed after Final on February 2nd, 2004.

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Brief Explanation of the Invention

A distributed switch call manager (DSCM) is a centralized switch fabric control module that is adapted to control two or more service switching points having decommissioned control modules. The distributed switch call manager was invented by the Assignee in order to provide a more economical solution to service switching point management. As is understood by those skilled in the art, maintaining a service switching point requires highly skilled professionals to maintain software and hardware components of the respective control modules. Because every control module requires a translation table to terminate or originate any call, a great deal of time and effort is required to maintain translation tables in the respective call modules. In addition, feature upgrades and other software changes require the time of skilled professionals. When many control modules are involved, the time, including travel time is accordingly increased. The distributed switch shown in FIG. 2 of this application is Assignee's response to the need for an economic solution to extend the life of incumbent time division multiplexed switching equipment. The Assignee developed the distributed switch call manager, which replaces the control modules of a plurality of service switching points, and also permits broadband telephone service provision by the additional of line gateways that connect directly to the broadband transport network and are directly controlled by the DSCM.

Subsequent to the invention of the DSCM, Applicants invented the instant method of local number portability.

As is well understood by those skilled in the art, there have been many proposed solutions for local number portability in the prior art. The most widely-accepted and currently widely-deployed method of local number portability involves use of a service control point (SCP) to provide ported number routing information. When a service switching point (SSP) supports a ported number, the translation table in the SSP is flagged to indicate that the number is ported. When an inbound call arrives for a ported number, a query is made to the SCP to obtain routing instructions for the call. The SCP translates the ported number and returns routing instructions, normally a switch and equipment number. The switch and equipment number is used by the SSP to forward the call to another SSP that serves the ported number. As is well understood by those skilled in the art, this is inefficient because it requires extra signaling (SCP queries) as well as extra

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trunking (redundant trunking resulting from routing through the SSP that originally served the ported number).

Both inefficiencies are eliminated by the instant invention. In accordance with the instant invention, numbers can be ported within a local area served by one or more DSCMs by simply re-provisioning the translation tables of the DSCM to point to the new location of the ported number. This simple solution not only enables elegant local number portability, it also enables instant call feature portability without a requirement for changing subscriber profiles or interrupting subscriber service. The advantages achieved by the instant invention are unparalleled by any other solution for local number portability known to Applicants.

Claim Rejections -35 USC § 102

The Final Office Action rejected claims 1-3 under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,252,952 to Kung et al. (now withdrawn).

As discussed with the Examiner, during the interview of January 30, 2004 Applicants respectfully submit that the rejection under 35 U.S.C. 102 is unfounded. However, to ensure that all essential steps in the method for local number portability are claimed, claims 1 and 2 are cancelled and claim 3 is amended to incorporate the subject matter of cancelled claims 1 and 2. Amended claim 3 therefore claims a method of porting a directory number within a local telephone service area served by a distributed switch call manager by selecting at least one of a media gateway and a line gateway through which to serve the directory number; re-provisioning the distributed switch call manager to address call control messages associated with the ported directory number to the at least one of the media gateway and the line gateway by changing a number translation table in the DSCM to associate the ported directory number with a signaling path to the at least one of the media gateway and the line gateway.

Claim Rejection -35 U.S.C. § 103

The Final Office Action rejected claims 4-7, 11-13 and 14-17 under 35 U.S.C. 103 as being obvious in view of Kung et al. (now withdrawn).

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Claims 8-10 are not addressed and the status of those claims is uncertain. However, for consistency, claim 8 is cancelled and the subject matter thereof incorporated in amended claim 9.

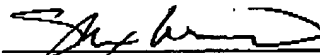
With respect to claims 14-17, claim 14 is cancelled and claim 15 is amended to incorporate the subject matter of claim 14, so that the scope of claims 15-17 corresponds to the scope of claim 1 in that the steps of establishing signaling paths through the broadband transport network between the distributed switch control module and the media gateways of the respective central offices are positively recited, as well as provisioning the distributed switch control module with a number translation table used to select signaling paths through which call control messages are transmitted for ported directory numbers.

In view of the explanation set forth above and in view of the amendments to the claims, it is respectfully submitted that this application is in condition for immediate allowance. It is therefore respectfully requested that the patentability of the amended claims be reconsidered and a Notice of Allowability be issued without delay.

Respectfully submitted,
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MRW :kp

By



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